RECEIVED CENTRAL FAX CENTER

## Withrow & Terranova

DEC 2 1 2004

Professional Limited Liability Company

Attorneys At Law
Registered Patent Attorneys

A High Technology Patent Practice

FACSIMILE TRANSMITTAL SHEET	
TO:	FROM:
Examiner Min Jung	Benjamin S. Withrow, Esq.
COMPANY:	DATE:
USPTO – Art Unit 2663	12/21/0412/21/2004
PAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
703-872-9306	20
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	7000-413
RE:	YOUR REFERENCE NUMBER:
Response to Office Action	09/749,594
URGENT   FOR REVIEW   PLHA	se comment  please reply  original to follow
NOTES/COMMENTS:	
Please find attached the following iter	m(s):
1) Response to the Office Action	n Mailed September 3, 2004 (18 pages);
2) Credit Card Payment Form (1	page).

NOTE: The information contained in this transmission is privileged and confidential and intended ONLY for the individual or entity named above. If you should receive this transmission in error, please notify our office and return to the below address via the U.S. Postal Service.

201 SHANNON OAKS CIRCLE, SUITE 200 CARY, NC 27511

PH: (919) 654-4520

## → USPTO Ctrl Fax RECEIVED CENTRAL FAX CENTER

DEC 2 1 2004

Examiner: Jung, Min

Art Unit: 2663

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Steven Rhodes

Serial No. 09/749,594

Filed: 12/28/2000

For:

SCALABLE SWITCH

Mail Stop Amendment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Six:

## RESPONSE TO THE OFFICE ACTION MAILED SEPTEMBER 3, 2004

In response to the Office Action mailed September 3, 2004, Applicant offers the following amendments and remarks. Applicant requires a one month extension of time and requests that the Patent Office consider this a petition for the same. Applicant encloses a Credit Card Payment Form in the amount of \$120.00 to pay for the one month extension of time. If any additional fees are required in association with this response, the Director is hereby authorized to charge them to Deposit Account 50-1732, and consider this a petition therefor.

12/22/2004 BBONNER 00000005 09749594

01 FC:1251

120.00 OP